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SENATE BILL 435

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO TORT CLAIMS; EXPANDING THE DEFINITION OF "SPACE
FLIGHT ENTITY"; EXTENDING LIMITED LIABILITY TO MANUFACTURERS
AND SUPPLIERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 41-14-2 NMSA 1978 (being Laws 2010,
Chapter 8, Section 2) is amended to read:

"41-14-2. DEFINITIONS.--As used in the Space Flight
Informed Consent Act:

A. "participant" means a space flight participant
as that term is defined in 49 U.S.C. Section 70102;

B. "space flight activities" means launch services
or reentry services as those terms are defined in 49 U.S.C.

Section 70102. "Space flight activities" includes any
operations licensed, permitted or authorized by the federal

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underscoring material = new
~~[bracketed material] = delete~~

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1 aviation administration of the United States department of
2 transportation, including the issuance of a launch license and
3 a launch site operator license and any activities involving
4 operations of a launch, a launch vehicle, a launch site or
5 reentry site, a reentry vehicle, launch services and reentry
6 services as the same are defined by and set forth in the
7 Commercial Space Launch Amendments Act of 2004 in 49 U.S.C.
8 Section 70101, et seq.; and

9 C. "space flight entity" means a public or private
10 entity holding a [~~United States~~] federal aviation
11 administration of the United States department of
12 transportation launch, reentry, operator or launch site license
13 for space flight activities or a license, permit or other
14 authorization, including safety approvals and payload
15 determinations, issued by the federal aviation administration,
16 either directly to a corporation or to its subsidiaries or
17 affiliates, for the purpose of engaging in space flight
18 activities. "Space flight entity" includes a:

- 19 (1) manufacturer of components for space
20 vehicles;
21 (2) manufacturer of space vehicles; or
22 (3) supplier of space vehicles or components
23 of space vehicles or services related to space vehicle launch,
24 flight or reentry that was authorized by the issuance of a
25 license, permit or other authorization by the federal aviation

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underscoring material = new
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1 administration of the United States department of
2 transportation to a corporation or its subsidiary or affiliate
3 for the purpose of conducting space flight activities."

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